

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----x
JOHN K. LUCE, II,

Docket No. 1:21-cv-00718-GTS-DJS

Plaintiff,

- against -

YRC INC., YRC INC. d/b/a YELLOW FREIGHT;
YRC WORLDWIDE ENTERPRISE SERVICES, INC.,
YRC FREIGHT; YRC WORLDWIDE, INC.; and
YELLOW FREIGHT SYSTEM INC.,

Defendants.

-----x

SUPPLEMENTAL NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that the defendants, hereby supplement paragraph 4 to their Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 as follows:

4. Upon information and belief, the plaintiff will demand judgment against the defendants in an amount that exceeds \$75,000 exclusive of interest and costs, since he communicated a settlement demand of \$200,000 through his counsel on June 24, 2019 to Richard Vannaman of Sedgwick, CMS, Inc.; and plaintiff claims to have sustained, among other injuries, a radial fracture of his left elbow requiring surgical correction, and a concussion.

Dated: August 9, 2021

Respectfully submitted,

RYAN SMITH & CARBINE, P.C.

By: /s/ Mark F. Werle

Mark F. Werle
511 Glen Street
Glens Falls, New York 12801
Tel.: (518) 499-1272
Fax: (518) 499-1273
E-mail: mfw@rsclaw.com

Attorneys for defendants,
YRC INC.; YRC INC. d/b/a YRC Freight,
i/s/h/a “YRC Freight”, i/s/h/a YRC
Worldwide, Inc., i/s/h/a Yellow Freight
System Inc., and improperly stated to be
d/b/a “Yellow Freight; and YRC
WORLDWIDE ENTERPRISE SERVICES, INC.

TO: Peter A. McDaniel, Esq.
Andrew W. Kirby, Esq.
CONWAY & KIRBY, PLLC
413 Kenwood Ave
Delmar, New York 12054
(518) 533-1050
E-mail: pmd@cklawyers.com
awk@cklawyers.com
Attorneys for plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

-----x
JOHN K. LUCE, II,

Docket No.: 1:21-cv-00718-GTS-DJS

Plaintiff,

- against -

CERTIFICATE OF SERVICE

YRC INC., YRC INC. d/b/a YELLOW FREIGHT;
YRC WORLDWIDE ENTERPRISE SERVICES, INC.,
YRC FREIGHT; YRC WORLDWIDE, INC.; and
YELLOW FREIGHT SYSTEM INC.,

Defendants.

-----x

I hereby certify that on August 9, 2021, I electronically filed the foregoing with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to the following:

Peter A. McDaniel, Esq.
Andrew W. Kirby, Esq.
CONWAY & KIRBY, PLLC
413 Kenwood Ave
Delmar, New York 12054
(518) 533-1050
E-mail: pmd@cklawyers.com
awk@cklawyers.com

Dated: August 9, 2021

/s/ Mark F. Werle

Mark F. Werle
RYAN SMITH & CARBINE, P.C.
511 Glen Street
Glens Falls, New York 12801
Tel.: (518) 499-1272
Fax: (518) 499-1273
E-mail: mfw@rsclaw.com

Attorneys for defendants,
YRC INC.; YRC INC. d/b/a YRC Freight,
i/s/h/a "YRC Freight", i/s/h/a YRC
Worldwide, Inc., i/s/h/a Yellow Freight
System Inc., and improperly stated to be
d/b/a "Yellow Freight; and YRC
WORLDWIDE ENTERPRISE SERVICES, INC.